

REMARKS

In response to the Office Action dated May 2, 2006, Applicant respectfully requests reconsideration. Claims 1-21 were previously pending in this application. Claims 1-21 stand rejected. Claims 1 and 10 are amended. No claims have been cancelled. As a result, claims 1-21 are pending for examination with claims 1 and 10 being independent claims. No new matter has been added.

The Examiner required new drawings. Five sheets of new formal drawings are attached hereto, replacing Figures 1-5. Applicant submits that the new replacement sheets and figures meet the requirements of 37 C.F.R. §1.84.

The Examiner rejected claims 1-3, 5-12 and 15-21 under 35 U.S.C. §102(e) as being anticipated by Avent et al. (U.S. Patent Application Publication 2002/0094787). The Examiner rejected claims 4, 13 and 14 under 35 U.S.C. §103(a) as being unpatentable over Avent et al. in view of Szondy et al. (U.S. Patent Application Publication 2002/0078253).

In view of the amendments and remarks herein, Applicant disagrees with and traverses the Examiner's rejection and requests reconsideration.

Claim 1, as amended, recites a method for user access to a publicly accessible information source in which *query data is sent to the publicly accessible information source upon matching pre-programmed user requirements*. Neither Avent et al. nor Szondy et al. disclose matching pre-programmed user requirements. Although Avent et al. disclose loading an application to a hand held device (Palm) at a Museum, wherein the Palm receives initiation signals from transceivers located adjacent artworks, the initiation signals are provided for each artwork, regardless of the user's interest or requirements. Applicant, on the other hand, provides a user the capability to program his/her requirements, such that queries need only be sent upon data from the information source matching the user's requirements. As disclosed in Avent et al., the user must respond to each initiation signal. Avent et al. provides no method for the user to discriminate amongst those artworks that the user has an interest in or that match the user's requirements.

In view of the amendments to claim 1, Applicant submits that Avent et al. do not anticipate claim 1 and reconsideration is respectfully requested. Claims 2-9 depend from claim 1 and are allowable at least by dependency.

Claim 10, as amended, recites features similar to those recited in amended claim 1. In particular, claim 10 recites a method for providing publicly accessible data to a user device wherein query data from a user device is received *upon the first subset of data matching pre-programmed user requirements*. In light of the above remarks with regard to claim 1, Applicant submits that Avent et al. also do not anticipate claim 10 and reconsideration is respectfully requested. Claims 11-21 depend from claim 10 and are allowable at least by dependency.

CONCLUSION

Applicant believes this Response to be fully responsive to the present Office Action. Thus, based on the foregoing Remarks, Applicant respectfully submits that this application is in condition for allowance. Accordingly, Applicant requests reconsideration and allowance of the application.

Applicant invites the Examiner to contact the Applicant's undersigned Attorney if any issues are deemed to remain prior to allowance.

Respectfully submitted,

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